

ORDINANCE NO. 500

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE SHORELINE MUNICIPAL CODE, SECTIONS 20.50.020 AND 20.50.230, TO ESTABLISH TRANSITION AREA REQUIREMENTS FOR DEVELOPMENT OF LAND IN REGIONAL BUSINESS, COMMUNITY BUSINESS, AND INDUSTRIAL LAND USE DISTRICTS IN PROXIMITY TO RESIDENTIAL NEIGHBORHOODS

WHEREAS, the City of Shoreline is a jurisdiction planning under the Growth Management Act and is therefore subject to the goals and requirements of Chapter 36.70A RCW during the preparation of development regulations, including those that pertain to development standards adjacent to residential zones; and

WHEREAS, the Planning Commission conducted study session workshops on March 13 and March 20, 2008, and held a Public Hearing on April 3, 2008, after which the Commission approved a recommendation to the City Council to amend sections 20.50.020 and 20.50.230 of the Municipal Code;

WHEREAS, on February 8, 2008, the proposed amendments were submitted to the State Department of Community Development for comment pursuant to WAC 365-195-820 and no comments were received; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on April 4, 2008 in reference to the proposed amendments to the Development Code; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Shoreline Municipal Code Sections 20.50.020 and 20.50.230 are amended as set forth in Exhibit 1, which is attached hereto and incorporated herein.

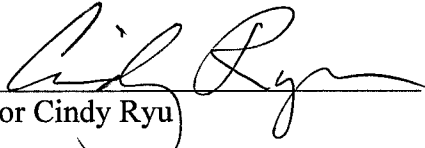
Section 2. Repeal. Ordinance No. 488, as extended, establishing a moratorium and interim controls on the filing and acceptance of residential development applications in Community Business, Residential Business, and Industrial zoning districts in proximity to residential zones is hereby repealed upon the effective date of this ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

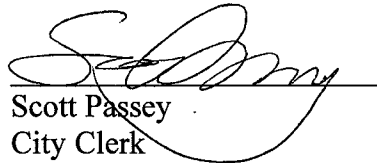
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Section 4. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.


PASSED BY THE CITY COUNCIL ON MAY 19, 2008.


Mayor Cindy Ryu

ATTEST:


Scott Passey
City Clerk

APPROVED AS TO FORM:


Ian Sievers
City Attorney

Date of Publication: May 22, 2008
Effective Date: May 27, 2008

20.50.020 Standards – Dimensional requirements.

A. Table 20.50.020(1) specifies densities and dimensional standards for permitted development applicable in residential zones.

Table 20.50.020(2) specifies densities and dimensional standards for residential development in other zones.

Table 20.50.020(1) – Densities and Dimensions in Residential Zones

Note: Exceptions to the numerical standards in this table are noted in parentheses and described below.

Residential Zones							
STANDARDS	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Units/Acre	4 du/ac	6 du/ac (7)	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Min. Density	4 du/ac	4 du/ac	4 du/ac	6 du/ac	8 du/ac	10 du/ac	12 du/ac
Min. Lot Width (2)	50 ft	50 ft	50 ft	30 ft	30 ft	30 ft	30 ft
Min. Lot Area (2)	7,200 sq ft	7,200 sq ft	5,000 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft	2,500 sq ft
Min. Front Yard Setback (2) (3)	20 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Min. Rear Yard Setback (2) (4) (5)	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Min. Side Yard Setback (2) (4) (5)	5 ft min. and 15 ft total sum of two	5 ft min. and 15 ft total sum of two	5 ft	5 ft	5 ft	5 ft	5 ft
Base Height	30 ft (35 ft with pitched roof)	30 ft (35 ft with pitched roof)	35 ft	35 ft	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof)	35 ft (40 ft with pitched roof) (8) (9)
Max. Building Coverage (2) (6)	35%	35%	45%	55%	60%	70%	70%

Max. Impervious Surface (2) (6)	45%	50%	65%	75%	85%	85%	90%
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Exceptions to Table 20.50.020(1):

- (1) Repealed by Ord. 462.
- (2) These standards may be modified to allow zero lot line developments. Setback variations apply to internal lot lines only. Overall site must comply with setbacks, building coverage and impervious surface limitations; limitations for individual lots may be modified.
- (3) For exceptions to front yard setback requirements, please see SMC 20.50.070.
- (4) For exceptions to rear and side yard setbacks, please see SMC 20.50.080.
- (5) For developments consisting of three or more dwellings located on a single parcel, the building setback shall be 15 feet along any property line abutting R-4 or R-6 zones. Please see SMC 20.50.130.
- (6) The maximum building coverage shall be 35 percent and the maximum impervious surface shall be 50 percent for single-family detached development located in the R-12 zone, excluding cottage housing.
- (7) The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.
- ~~(8) For development on R-48 lots abutting R-4, R-6, and R-8 zoned lots the maximum height allowed is 35 feet. The height of these lots may be increased to a maximum of 50 feet with the approval of a conditional use permit or to a maximum of 60 feet with the approval of a special use permit.~~
- (9) ~~(8)~~ For development on R-48 lots abutting R-12, R-24, R-48, O, NB, CB, NCBD, RB, I, and CZ zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.

Table 20.50.020(2) – Densities and Dimensions for Residential Development in Nonresidential Zones

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB) Zone (2)	Regional Business (RB) and Industrial (I) Zones (2)
Maximum Density: Dwelling Units/Acre	24 du/ac	48 du/ac	No maximum
Minimum Front Yard Setback	10 ft	10 ft	10 ft

Minimum Side Yard Setback from Nonresidential Zones	5 ft	5 ft	5 ft
Minimum Rear Yard Setback from Nonresidential Zones	15 ft	15 ft	15 ft
Minimum Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Minimum Side and Rear Yard Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height (1)	35 ft	60 ft	65 ft (2)
Maximum Impervious Surface	85%	85%	95%

Exceptions to Table 20.50.020(2):

(1) Please see Exception 20.50.230(3) for an explanation of height bonus for mixed-use development in NB and O zones.

~~(2) For all portions of a building in the I zone abutting R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35 feet, 50-foot height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50-foot height limit. Unenclosed balconies on the building are above the 35-foot transition line setback shall be permitted to encroach into the 10-foot setback.~~

(2) Development in CB, RB, or I zones abutting or across street rights-of-way from R-4, R-6, or R-8 zones shall meet the following transition area requirements:

(a) A 35-foot maximum building height at the required setback and a building envelope within a 2 horizontal to 1 vertical slope. However, safety railings with thin or transparent components and whip antennas are allowed above this building envelope. Structures allowed above the maximum height of the zone under SMC 20.50.030, Exception (5) may not exceed the building envelope slope, or exceed the maximum building height by more than 10 feet, or 4 feet for parapet walls.

(b) Property abutting R-4, R-6, or R-8 zones must have a 20 foot setback. No more than 50 feet of building façade abutting this 20 foot setback shall occur without an abutting open space of 800 square feet with a minimum 20 foot dimension. However, the additional open space may be adjusted or combined to preserve significant trees.

(c) Type I landscaping, significant tree preservation, and a solid, 8-foot property line fence shall be required for transition area setbacks abutting R-4, R-6, or R-8 zones. Type II landscaping shall be required for transition area setbacks abutting rights-of-way across from R-4, R-6 or R-8 zones. Patio or outdoor recreation areas may replace up to 20% of the landscape area that is required in the transition

area setback so long as Type I landscaping can be effectively grown. No patio or outdoor recreation areas in the transition area setback may be situated closer than 10 feet from abutting property lines. Required trees species shall be selected to grow a minimum height of 50 feet. A developer shall provide a Type I landscaping plan for distribution with the Notice of Application. Based on comments at a public meeting held by staff, the City may approve an alternative landscaping buffer with substitute tree species, spacing and size, provided that the alternative will provide equal value and achieve equal tree canopy. The landscape area shall be a recorded easement that requires plant replacement as needed to meet Type I landscaping. Utility easements parallel to the required landscape area shall not encroach into the landscape area.

(d) All vehicular access to proposed development in RB, CB, or I zones shall be from arterial classified streets unless determined by the Director to be technically not feasible. If determined to be technically not feasible, the developer shall implement traffic mitigation measures, approved by the City Traffic Engineer, which mitigate potential cut-through traffic impacts to single family neighborhoods.

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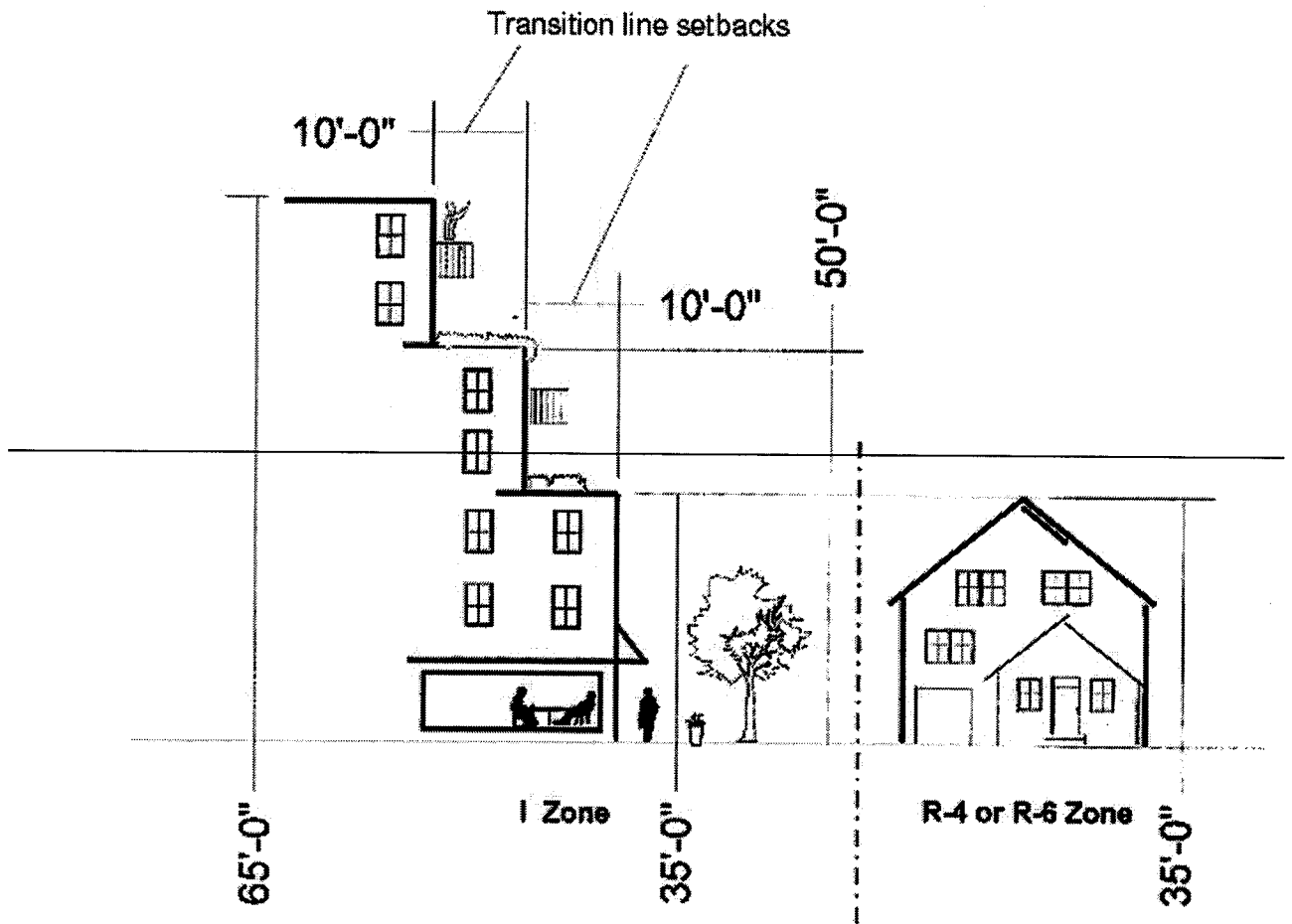


Figure Exception 20.50.020(2): For all portions of a building in the I zone abutting to R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35 feet, 50-foot height allowed with additional upper floor setback (transition line setback) of 10 feet. Sixty five feet allowed with additional upper floor setback (transition line setback) of 10 feet after 50-foot height limit. Unenclosed balconies on the building that are above the 35-foot transition line setback shall be permitted to encroach into the 10-foot setback.

20.50.230 Site planning – Setbacks and height – Standards.

Table 20.50.230 – Dimensions for Commercial Development in Commercial Zones

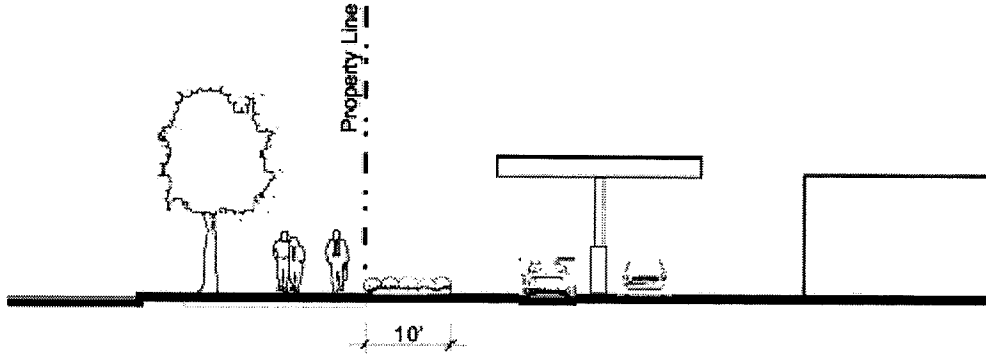
Note: Exceptions to the numerical standards in this table are noted in parenthesis and described below.

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB)	Regional Business (RB) and Industrial (I) Zones
Min. Front Yard Setback (Street) (1) (2)	10 ft	10 ft	10 ft
Min. Side and Rear Yard (Interior) Setback from NB, O, CB, RB, and I Zones (2)	0 ft	0 ft	0 ft
Min. Side and Rear Yard (Interior) Setback from R-4 and R-6 (2)	20 ft	20 ft	20 ft
Min. Side and Rear Yard (Interior) Setback from R-8 through R-48 (2)	10 ft	10 ft	15 ft
Base Height (5)	35 ft (3)	60 ft	65 ft (4)
Max. Impervious Surface	85%	85%	90%

Exceptions to Table 20.50.230:

(1) Front yard setback may be reduced to zero feet if adequate street improvements are available or room for street improvements is available in the street right-of-way.

Front Yard (Street) Setback: Residential developments (excluding mixed-use developments), parking structures, surface parking areas, service areas, gas station islands, and similar paved surfaces shall have a minimum 10 feet wide, fully landscaped separation measured from the back of the sidewalk.



Example of landscaped setback between the sidewalk and a gas station.

- (2) Underground parking may extend into any required setbacks, provided it is landscaped at the ground level.

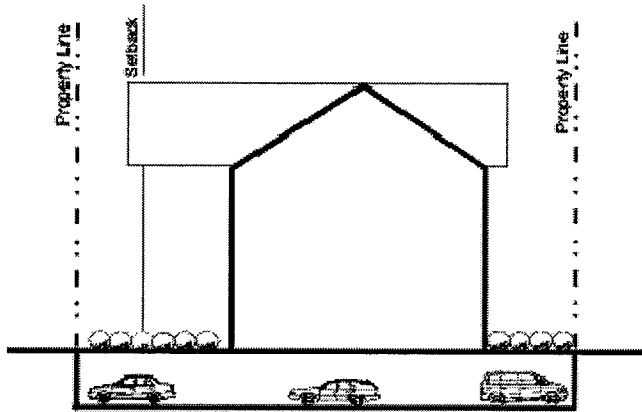
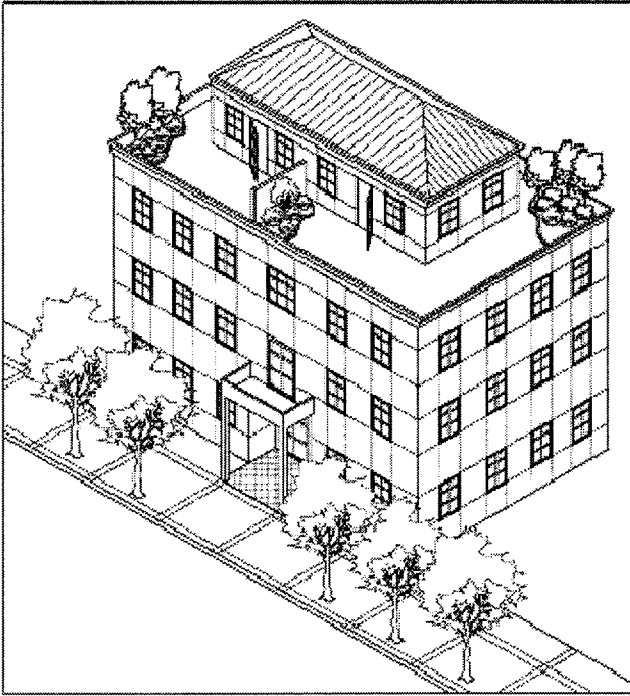


Diagram of multifamily structure with underground parking within a required setback.

- (3) Bonus for mixed-use development in NB and O zones: In order to provide flexibility in types of housing and to meet the policies of the Comprehensive Plan, the base height may be increased for mixed-use development to four stories or up to 50 feet, if the added story is stepped back from the third story walls at least eight feet, and subject to the following requirement:

Residential dwelling units shall occupy a minimum of 25 percent to a maximum of 90 percent of the total floor area of the building.



Example of bonus floor for mixed-use development.

(4) See SMC Table 20.50.020(2), Exception (2), for transition area requirements for CB, RB, or I development abutting R-4, R-6, or R-8 zones or across the street rights-of-way from R-4, R-6, or R-8 zones. For all portions of a building in the I-zone abutting R-4 and R-6 zones, the maximum height allowed at yard setback line shall be 35 feet, 50-foot height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50-foot height limit. Unenclosed balconies on the building that are above the 35-foot transition line setback shall be permitted to encroach into the 10-foot setback.

(5) Except as further restricted by SMC Table 20.50.020(2), Exception (2), ~~t~~The following structures may be erected above the height limits in all zones:

a. Roof structures housing or screening elevators, stairways, tanks, ventilating fans, or similar equipment required for building operation and maintenance, fire or parapet walls, skylights, flagpoles, chimneys, utility lines, towers, and poles; provided, that no structure shall be erected more than 15 feet above the height limit of the district, whether such structure is attached or free standing;

b. Steeples, crosses, and spires when integrated as an architectural element of a building may be erected up to 18 feet above the height limit of the district.